

# EXHIBIT A

# STATE OF NORTH CAROLINA

File No.

18 CVS 142 18 CVS

Moore County

In The General Court Of Justice

☐ District ☒ Superior Court Division

Name Of Plaintiff

Rivercliff Properties, Inc.

Address

City, State, Zip

**VERSUS**

Name Of Defendant(s)

SCOTTSDALE INSURANCE COMPANY

## CIVIL SUMMONS

☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 1A-1, Rules 3, 4

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

### To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1

SCOTTSDALE INSURANCE COMPANY

c/o Mike Causey, Insurance Commissioner as Registered Agent

1201 Mail Service Center

Raleigh

NC 27699

Name And Address Of Defendant 2

### A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (If None, Address Of Plaintiff)

T. Dean Amos and Dawn A. Hanzlik-Hexemer

Law Offices of Amos & Kapral

1331 N. Center Street

Hickory

NC 28601

Date Issued

2-9-18

Time

2:17

☐ AM

☒ PM

Signature

☒ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

### ☐ ENDORSEMENT (ASSESS FEE)

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement

Time

☐ AM

☐ PM

Signature

☐ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

**NOTE TO PARTIES:** Many counties have **MANDATORY ARBITRATION** programs in which most cases where the amount in controversy is \$15,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

IN THE GENERAL COURT OF JUSTICE

COUNTY OF MOORE

**LED**  
Energy Efficient  
Lighting

SUPERIOR COURT DIVISION  
FILE NO. 17 - CVS - 142

RIVERCLIFF PROPERTIES, INC. 2013 FEB -9 P 2: 17

*Plaintiff,*

MOORE CO.,) C.S.C.

V.

BY

ms)

## VERIFIED COMPLAINT

SCOTTSDALE INSURANCE COMPANY,

*Defendant.*

NOW COMES the Plaintiff, Rivercliff Properties, Inc. (“Rivercliff Properties”), by and through counsel, and complaining of the Defendant, Scottsdale Insurance Company (“Insurance Company”), alleges, avers, and says:

1. Rivercliff Properties is a North Carolina business corporation with its principal office located in Southern Pines, Moore County, North Carolina and is therefore a resident of Moore County, North Carolina.
2. Plaintiff is informed, believes, and therefore alleges that Insurance Company is a corporation organized and existing under the laws of the State of Ohio, and authorized to do business in North Carolina.
3. Insurance Company issued to Plaintiff on or about the 19th day of February, 2015, an insurance policy (denoted by Insurance Company as Policy #CPS2146048) (the "Policy") which insured Plaintiff's property at 2779 Rivercliff Road, Fayetteville, North Carolina (the "Property") against fire.
4. Plaintiff paid to Insurance Company the premium due on the Policy.
5. The Policy was in force and effect on April 21, 2015 when the Property was destroyed by fire.
6. Plaintiff timely notified Insurance Company of the loss and commenced the claim process pursuant the Policy.
7. At the request of Insurance Company, the President and owner of Rivercliff Properties, Robert Lee Gore, Jr., participated in a recorded interview conducted by a Special Investigator of Insurance Company on May 6, 2015.
8. By letter dated May 8, 2015, Insurance Company acknowledged the claim for the fire loss submitted by Plaintiff under the Policy ("the Claim") and stated that Insurance Company has begun its investigation regarding the Claim under a reservation of Insurance Company's rights under the Policy.

9. Mr. Gore subsequently further submitted himself to an Examination Under Oath conducted by Insurance Company's counsel on August 10, 2015.
10. By letter dated January 13, 2016, Insurance Company denied the Claim based upon Insurance Company's conclusion that the greater weight of the evidence indicates that the Property was intentionally burned and Plaintiff participated directly or indirectly in its burning.
11. Plaintiff performed all of its duties under the Policy.

**FIRST CLAIM FOR RELIEF**  
(Breach of Contract)

12. The allegations of paragraphs 1-11 are realleged and incorporated by reference as if fully set forth herein.
13. Plaintiff suffered an actual loss of the Property.
14. Insurance Company is obligated to compensate Plaintiff for the Claim.
15. Insurance Company failed and refused to pay the Claim.
16. Plaintiff has suffered monetary damages under the Policy in excess of Twenty-Five Thousand Dollars (\$25,000.00).

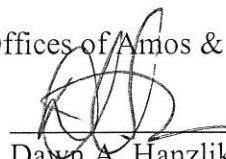
**PLAINTIFF DEMANDS TRIAL BY JURY AS TO ALL ISSUES SO TRIABLE.**

WHEREFORE, Plaintiff prays the Court to award it the full amount of its damages together with interest, costs and attorneys' fees from Insurance Company, and for such other and further relief as the Court deems just and proper.

This the 6th day of February, 2018.

Law Offices of Amos & Kapral, LLP

By: \_\_\_\_\_

  
Dawn A. Hanzlik-Hexemer  
North Carolina Bar No. 45316  
T. Dean Amos  
North Carolina Bar No. 14024  
Attorneys for Plaintiff  
1331 N. Center Street  
Hickory, North Carolina 28601  
Telephone: (828) 855-3152  
Fax: (828) 855-3154

VERIFICATION

STATE OF NORTH CAROLINA

COUNTY OF MOORE

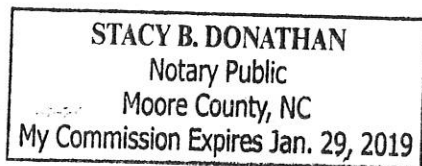
**Robert Gore, Jr.**, first being duly sworn by law, deposes and says that he is the President of Rivercliff Properties, Inc., that he has read the foregoing Verified Complaint, and that the same is true of his own knowledge, except as to those matters and things therein stated or alleged upon information and belief, and as to those, he believes them to be true.

Robert Gore, Jr.  
ROBERT GORE, JR., PRESIDENT

SWORN TO AND SUBSCRIBED before  
me this the 2<sup>nd</sup> day of February, 2018.

Stacy B. Donathan  
NOTARY PUBLIC

My Commission Expires: 01/29/2019



STATE OF NORTH CAROLINA

COUNTY OF MOORE

Rivercliff Properties, Inc.,

*Plaintiff,*

v.

SCOTTSDALE INSURANCE COMPANY,

*Defendant.*

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 18 - CVS - 142

**AFFIDAVIT OF SERVICE**

STATE OF NORTH CAROLINA  
COUNTY OF CATAWBA

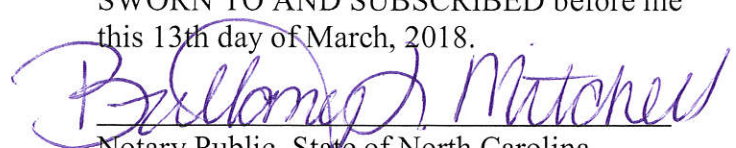
BEFORE ME, the undersigned authority, on this day personally appeared Dawn A. Hanzlik-Hexemer, who, being by me first duly sworn, deposes and says as follows:

1. Affiant is the attorney for Plaintiff in the above-entitled action.
2. The Summons was issued for Scottsdale Insurance Company, a copy of which is attached hereto as Exhibit "A."
3. A copy of the Summons and Complaint were deposited in the United States Postal Service for mailing certified mail, return receipt requested, addressed to Scottsdale Insurance Company, c/o Mike Causey, Insurance Commissioner, Registered Agent, 1201 Mail Service Center, Raleigh, NC 27699, with tracking number 7017 1000 0001 0353 8543.
4. Service was effectuated on Scottsdale Insurance Company on March 5, 2018 which was signed for, as evidenced by the confirmation of delivery attached hereto as Exhibit "B."

FURTHER AFFIANT SAYETH NAUGHT.

  
Dawn A. Hanzlik-Hexemer

SWORN TO AND SUBSCRIBED before me  
this 13th day of March, 2018.

  
Notary Public, State of North Carolina  
My Commission Expires: 10-28-2020



# STATE OF NORTH CAROLINA

File No.

18CV5142

18 CVS

Moore

County

In The General Court Of Justice

☐ District ☒ Superior Court Division

Name Of Plaintiff

Rivercliff Properties, Inc.

Address

City, State, Zip

**VERSUS**

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SCOTTSDALE INSURANCE COMPANY

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Name And Address Of Plaintiff's Attorney (If None, Address Of Plaintiff)

T. Dean Amos and Dawn A. Hanzlik-Hexemer

Law Offices of Amos & Kapral

1331 N. Center Street

Hickory

NC 28601

Date Issued

2-9-18

Time

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☐ PM

Signature

☒ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

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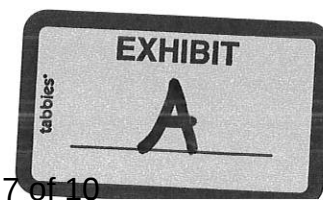
Signature

☐ Deputy CSC

☐ Assistant CSC

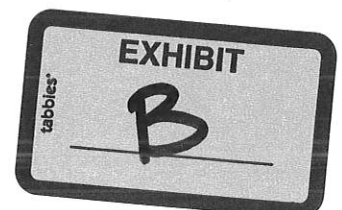
☐ Clerk Of Superior Court

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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <b>X</b></p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Scotisdine Insurance Company c/o Mike Causey, Insurance Commissioner, Registered Agent 1201 Mail Service Center Raleigh, NC 27699</p>		<p>B. Received by (Printed Name) <b>Patricia Turner</b></p> <p>C. Date of Delivery <b>MAR 02 2018</b></p>	
<p>2. Article Number (Transfer from service label) <b>7017 1000 0001 0353 8543</b></p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>		<p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>9590 9402 2932 7094 0074 29</p>		<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>	





March 9, 2018

Mr. T. Dean Amos  
1331 North Center Street  
Hickory, NC 28601

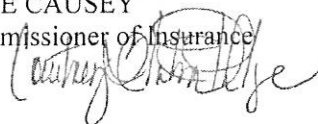
Rivercliff Properties, Inc.  
vs.  
Scottsdale Insurance Company

Dear Mr. Amos:

This acknowledges receipt of legal process in the referenced matter by a special deputy, duly appointed by me for such purpose. We are herewith enclosing the Department's receipt #48657 in the amount of \$10.00 for Service of Process, which was mailed on March 9, 2018.

The process papers have been forwarded to the named insurance company.

MIKE CAUSEY  
Commissioner of Insurance



Courtney H Ethridge  
Special Deputy for  
Service of Process

Enclosure



MIKE CAUSEY • COMMISSIONER

SERVICE OF PROCESS

Tel 919.716.6610 Fax 919.716.6757

Rivercliff Properties, Inc.

vs.

Scottsdale Insurance Company

I, Courtney H Ethridge, a Special Deputy duly appointed for the purpose, do hereby accept service of the **Civil Summons** of Plaintiff's Rivercliff Properties, Inc. and adding Scottsdale Insurance Company as a Defendant, and acknowledge receipt of a copy of the same, together with a copy of the **Verified Complaint**, under the provision of the North Carolina General Statute Section 58-16-30 as process agent for Scottsdale Insurance Company.

This the 5th day of March, 2018.

MIKE CAUSEY  
Commissioner of Insurance

Courtney H Ethridge  
Special Deputy for  
Service of Process